

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 13, 2009.

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JOURNAL OF THE HOUSE.

Wednesday, May 13, 2009.

Met according to adjournment at eleven o'clock A.M., with Ms. Reinstein of Revere in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

At the request of Speaker DeLeo of Winthrop, the members, guests and employees then stood in a moment of silent tribute to the memory of Rosann M. Donato, the wife of Representative Paul J. Donato, who passed away this morning after suffering from a brain aneurism. Mrs. Donato is survived by her two children, Paul Jr. and Kim, as well as six grandchildren. Mrs. Donato was a loving wife and mother who loved to travel and cook. She will long be remembered for her wonderful sense of humor.

Rosann M.
Donato.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Roger E. Santos on attaining the rank of Eagle Scout from the Boy Scouts of America;

Roger E.
Santos.

Resolutions (filed by Mr. Bowles of Attleboro) recognizing Nursing Home Week in the city of Attleboro;

Nursing
Home Week.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Christopher Joseph Molica of Sharon Boy Scout Troop 95 on earning the Eagle Scout Award;

Christopher
Joseph Molica.

Resolutions (filed by Ms. Khan of Newton) honoring Gregory Geoffrey Lin on receiving the Eagle Award of the Boy Scouts of America; and

Gregory
Geoffrey Lin.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Zachary Lucas on receiving the Eagle Award of the Boy Scouts of America;

Zachary
Lucas.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the Rules, in each instance, on motion of Ms. Peake of Provincetown, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Ms. Campbell of Methuen presented a petition (accompanied by bill, House, No. 599) of Linda Dean Campbell (with the approval of the mayor and city council) that the city of Methuen be authorized to lease a certain building located in said city; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Methuen,—
building
lease.

Paper from the Senate.

Notice was received that the Senate had called for a joint session of the two houses, conformably to the provisions of Article XLVIII as amended by Article LXXXI of the Amendments to the Constitution, for the purpose of considering the following proposals for legislative amendments to the Constitution:

Proposal for a legislative amendment to the Constitution to establish an independent redistricting commission (see Senate, No. 22), with reference to which the committee on Election Laws has reported, recommending that the amendment ought NOT to pass [Senator Brown and Representatives Frost of Auburn and Jones of North Reading, dissenting];

Constitution,—
redistricting
commission.

Proposal for a legislative amendment to the Constitution relative to initiative petitions (see Senate, No. 23), with reference to which the committee the Judiciary has reported, recommending that the amendment ought to pass [Representative Evangelidis of Holden dissenting];

Constitution,—
initiative
petitions.

Proposal for a legislative amendment to the Constitution to abolish the Governor's Council (see Senate, No. 24), with reference to which the committee the Judiciary has reported, recommending that the amendment ought NOT to pass;

Constitution,—
Governor's
Council.

Proposal for a legislative amendment to the Constitution relative to the certification of judges (see Senate, No. 25), with reference to which the committee the Judiciary has reported, recommending that the amendment ought NOT to pass; and

Constitution,—
certification of
judges.

Proposal for a legislative amendment to the Constitution to eliminate the Governor's Council (see Senate, No. 27), with reference to which the committee the Judiciary has reported, recommending that the amendment ought NOT to pass.

Constitution,—
Governor's
Council.

Engrossed Bill.

The engrossed Bill establishing a supplementary tax rate in the town of Rockland (see Senate bill printed as House, No. 4050) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At a quarter after eleven o'clock A.M., on motion of Mr. McMurtry of Dedham (Ms. Reinstein of Revere being in the Chair), the House recessed until a quarter before one o'clock P.M.; and at the hour of one o'clock P.M., the House was called to order with the Speaker in the Chair.

Recess.

*Joint Session of the Two Houses to Consider
Specific Amendments to the Constitution.*

At eleven minutes past one o'clock P.M., the two Houses met in

JOINT SESSION

and were called to order by the Honorable Therese Murray, President of the Senate who made the following observations:

Joint
Session.

"Pursuant to an order previously adopted, the two Houses are in Joint Session for the purpose of considering various proposals for amendments to the Constitution. The matters that have been called for consideration are now seasonably laid before the joint session in conformity with the provisions of Articles XLVIII and LXXXI of the Constitution."

The following legislation proposals for amendments to the Constitution were seasonably laid before the joint session for consideration:

Proposal for a legislative amendment to the Constitution to establish an independent redistricting commission (see Senate, No. 22), with reference to which the committee on Election Laws has reported, recommending that the amendment ought NOT to pass [Senator Brown and Representatives Frost of Auburn and Jones of North Reading dissenting];

Constitution,—
redistricting
commission.

Proposal for a legislative amendment to the Constitution relative to initiative petitions (see Senate, No. 23), with reference to which the committee the Judiciary has reported, recommending that the amendment ought to pass [Representative Evangelidis of Holden dissenting];

Constitution,—
initiative
petitions.

Proposal for a legislative amendment to the Constitution to abolish the Governor's Council (see Senate, No. 24), with reference to which the committee the Judiciary has reported, recommending that the amendment ought NOT to pass;

Constitution,—
Governor's
Council.

Proposal for a legislative amendment to the Constitution relative to the certification of judges (see Senate, No. 25), with

Constitution,—
certification of
judges.

reference to which the committee the Judiciary has reported, recommending that the amendment ought NOT to pass ;

Proposal for a legislative amendment to the Constitution to eliminate the Governor’s Council (see Senate, No. 27), with reference to which the committee the Judiciary has reported, recommending that the amendment ought NOT to pass;

Constitution,—
Governor’s
Council.

Proposal for a legislative amendment to the Constitution establishing an independent redistricting commission and criteria for redistricting for state House of Representatives, Senate, and Councilor districts (House, No. 535),— with reference to which the committee on Election Laws has reported, that the amendment ought NOT to pass [Senator Brown and Representatives Frost of Auburn and Jones of North Reading dissenting];

Constitution,—
redistricting
commission.

Proposal for a legislative amendment to the Constitution authorizing the General Court to provide for absentee voting by any voter (House, No. 561), — with reference to which the committee on Election Laws has reported that the amendment ought to pass;

Constitution,—
absentee voting.

Proposal for a legislative amendment to the Constitution authorizing the General Court to provide for absentee voting by any voter (House, No. 588),— with reference to which the committee on Election Laws has reported that the amendment ought to pass;

Id..

Proposal for a legislative amendment to the Constitution relative to a vacancy in the office of Governor or Lieutenant-Governor (House, No. 650), — with reference to which the committee on Election Laws has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired;

Constitution,—
Executive
Department
vacancies.

Proposal for a legislative amendment to the Constitution prohibiting eminent domain takings for the purpose of economic development (House, No. 1455), — with reference to which the committee on the Judiciary has reported that the amendment ought to pass;

Constitution,—
eminent domain.

Proposal for a legislative amendment to the Constitution for a legislative amendment to the Constitution prohibiting eminent domain (House, No. 1700), — with reference to which the committee on the Judiciary has reported that the amendment ought to pass;

Id.

Proposal for a legislative amendment to the Constitution relative to eminent domain takings (House, No. 1779), — with reference to which the committee on the Judiciary has reported that the amendment ought to pass;

Id.

Proposal for a legislative amendment to the Constitution repealing automatic increases in compensation for members of the General Court (House, No. 2952), — with reference to which the

Constitution,—
General Court
pay.

committees on Rules of the two branches, acting concurrently has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired;

Proposal for a legislative amendment to the Constitution providing for a two year budget process for the Commonwealth (House, No. 3406), — with reference to which the joint committee on Ways and Means has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired;

Constitution,—
two year
budget.

Proposal for a legislative amendment to the Constitution limiting expenditure growth (House, No. 3407), — with reference to which the joint committee on Ways and Means has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired;

Constitution,—
expenditure
growth.

Proposal for a legislative amendment to the Constitution relative to home rule (House, No. 3411), — with reference to which the committee on Election Laws has reported, that the amendment ought NOT to pass; and

Constitution,—
home rule.

Proposal for a legislative amendment to the Constitution relative to the subject matter of initiative petitions (House, No. 3537), — with reference to which the committee on the Judiciary has reported that the amendment ought to pass [Representative Evangelidis of Holden dissenting].

Constitution,—
initiative
petitions.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Ms. Menard, at twelve minutes past one o'clock P.M., the joint session was recessed until one o'clock P.M., on Wednesday, September 30, 2009; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.

Order.

Mr. Spellane of Worcester being in the Chair,—on motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet the following day at eleven o'clock A.M.

Next
sitting.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at a quarter after one o'clock P.M., on motion of

UNCORRECTED PROOF.

Mr. Rice of Gardner (Mr. Spellane of Worcester being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.